

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:16-cr-00039-MOC-DLH

UNITED STATES OF AMERICA,

Vs.

DANIELLE DEVONNA JONES,

Defendant.

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ORDER

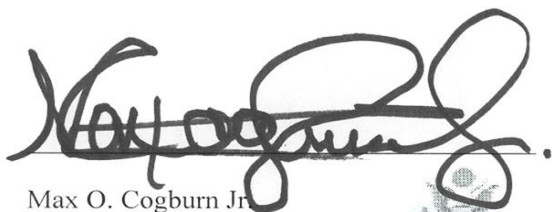
THIS MATTER is before the Court on defendant's pro se "Addendum to March motion to Suppress" (#159). While it appears that defendant mailed such supplement to the Court on the day before the Court disposed of defendant's most recent Motion to Suppress (#154), it was received and docketed by the Clerk of Court on March 20, 2017, well after this Court's Order (#158) denying the Motion to Suppress. Applying the filing rule applicable to those who are in Pretrial Detention, the Court determines that such filing was timely and has given defendant's Addendum full consideration as a timely filed Reply.

Defendant argues that items seized by officers from the vehicle were not in plain view. She makes a number of additional, conclusory arguments that "Law enforcement lacked any justification under consent, search incident to arrest, automobile exception, or exigent circumstances." Addendum (#159) at 3. The Court has considered such arguments in light of her previous arguments, the government's Responses, and the evidence received at the November 2016 evidentiary hearing, during which the vehicle search was fully explored. The Court again concludes that the search of the vehicle in no manner violated defendant's Fourth Amendment protections for the reasons previously stated. See Orders (#95 and #158)

ORDER

IT IS, THEREFORE, ORDERED that defendant's Addendum (#159) is DEEMED timely filed, and the Court reaffirms the Order (#158) denying defendant's second Motion to Suppress (#154) for the reasons previously stated.

Signed: March 22, 2017

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line. The signature is stylized with large loops and a trailing flourish.

Max O. Cogburn Jr.
United States District Judge